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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EVANS DELIVERY COMPANY, INC.

Plaintiff,

v.

ITS LOGISTIC, LLC, Delaware limited liability company; and ITS NATIONAL, LLC, a Delaware limited liability company; and DOES I-X, inclusive,

Defendants.

Case No. 3:23-cv-00533-ART-CSD

ORDER GRANTING

**STIPULATION EXTENDING
DEADLINE FOR PLAINTIFF
TO RESPOND TO MOTION
TO DISMISS**

(SECOND REQUEST)

Pursuant to Local Rules IA 6-1 and 7-1, Plaintiff Evans Delivery Company, Inc. (“Evans”), and Defendants ITS Logistics, LLC and ITS National, LLC (collectively “ITS”), hereby stipulate, agree, and respectfully request that the Court extend the deadline for Evans to respond to ITS’s Motion to Dismiss by one week, from March 14, 2024 to March 21, 2024. ITS filed its Motion to Dismiss (ECF No. 17) on February 14, 2024. Lead counsel for Evans, Eric C. Palombo, recently transferred firms starting at his new firm on February 26, 2024. While the transition was ultimately successful, it has taken more time than originally anticipated for files to be fully transferred and integrated. In addition, Evans intends to submit documents in support of its Opposition to the Motion, which may contain confidential information. Counsel for the parties are conferring in good faith to determine if it is necessary to submit those documents under seal or if they will consent to disclosure. The one-week extension of time will provide

1 the parties with additional time to ideally resolve this issue and provide Evans with the
2 necessary time to prepare and submit its response to the Motion to Dismiss.

3 Evans does not seek this extension for purposes of delay and this is the second
4 Request by Evans for an extension of time to respond to ITS's Motion to Dismiss.
5 Accordingly, the parties request that the Court grant an extension of time to respond to
6 ITS's Motion to Dismiss to from March 14, 2024 to **March 21, 2024**.

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8 DATED this 12th day of March, 2024.

DATED this 12th day of March, 2024.

9 McDONALD CARANO LLP

FLASTER GREENBERG, P.C.

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11 By: /s/ Adam Hosmer-Henner
12 Adam Hosmer-Henner, Esq. (NSBN
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Attorneys for Plaintiff

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17 **IT IS SO ORDERED:**

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20 ANNE R. TRAUM
21 UNITED STATES DISTRICT JUDGE

22 DATED: March 13, 2024
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